

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALFONZO PICKENS,
Petitioner,
v.
R.C. JOHNSON,
Respondent.

Case No. 2:22-cv-02124-SB-PD

**ORDER ACCEPTING
REPORT AND ADOPTING,
FINDINGS, CONCLUSIONS,
AND RECOMMENDATIONS
OF UNITED STATES
MAGISTRATE JUDGE, AND
DENYING CERTIFICATE OF
APPEALABILITY**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the records on file, and the Report and Recommendation of United States Magistrate Judge. The Court accepts the Report and adopts it as its own findings and conclusions. Accordingly, the Petition is denied and this action is dismissed without prejudice.

Further, for the reasons stated in the Report and Recommendation, the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right and, therefore, a certificate of appealability is denied.

See 28 U.S.C. § 2253(c)(2); Fed. R. App. P. 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003).

Dated: June 13, 2022

JBG

Stanley Blumenfeld, Jr.
United States District Judge